

**REMARKS**

**Election/Restriction:**

Applicant thanks the Examiner for acknowledging that claims 12 has been withdrawn, without traverse.

**Drawings:**

Applicant thanks the Examiner for indicating that the drawings filed on September 9, 2003 have been approved.

**Specification:**

The Examiner has objected to the Abstract, indicating that it does not begin on a separate sheet of paper. However, Applicant respectfully disagrees as the Abstract, by itself, is found on page 51 of the filed application.

Therefore, Applicant hereby requests the Examiner reconsider and withdraw the above objection to the Specification/Abstract.

**Claim Rejections:**

Claims 5-11, 13 and 14 are all the claims that have been examined in the present application, and currently all of the claims stand rejected..

***35 U.S.C. § 112, 2<sup>nd</sup> Paragraph Rejection - Claim 10:***

Claim 10 stands rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph as being indefinite. Specifically, the Examiner has requested confirmation as to whether or not the “rubber reinforcing layer” recited in claim 10 is the run-flat rubber reinforcing layer described in the specification.

Applicant has amended claim 10 as shown in the previous section to address the Examiner's concerns, and submits that the scope and content of claim is clear to one of ordinary skill in the art.

Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 112, 2<sup>nd</sup> paragraph rejection of claim 10.

***35 U.S.C. § 102(b) Rejection - Claims 5-8:***

Claims 5-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Application No. JP 7-189144 A, or Japanese Application No. JP 10-18188 A. In view of the following discussion, Applicant respectfully traverses the above rejection.

The structure, of the present invention, as recited in amended claim 5 facilitates transformation of the filaments themselves, as "the steel cord [has] filaments which have different oscillations and are twisted at irregular pitches." *See* claim 5. Therefore, the steel cord has decreased tensile stress and increased elongation at the time of breaking.

However, both Japanese Patent Application Laid-Open (JP-A) Nos. 7-189144 and 10-18188 disclose steel cords in which filaments are twisted at a regular pitch. With a configuration such as this, when the steel cords are bent and transformed, the filaments themselves are not easily transformed. This resistance to transformation has the effect of inhibiting or preventing decreasing compressive input applied to the steel cord. Namely, decreasing the compressive input to the steel cord cannot be obtained.

In view of the foregoing, Applicant submits that both the Japanese Patent Application Laid-Open (JP-A) Nos. 7-189144 and 10-18188 fail to disclose, teach or suggest each and every

feature of the claimed invention. Therefore, both Japanese Patent Application Laid-Open (JP-A) Nos. 7-189144 and 10-18188 fail to anticipate the claimed invention, set forth in claim 5, as required under the provisions of 35 U.S.C. § 102(b). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(b) rejection of this claim. Further, as claims 6-8 depend on claim 5, Applicant submits that these claims are also allowable, at least by reason of their dependence.

***35 U.S.C. § 102(b)/103(a) Rejection - Claims 5-8:***

Claims 5-8 also stand rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 4,738,096 to Hatakeyama et al. In view of the following discussion, Applicant respectfully traverses the above rejection.

Similar, to the Japanese Patent Application Laid-Open (JP-A) Nos. 7-189144 and 10-18188, Hatakeyama discloses a steel cord in which the filaments having different oscillations are twisted, since the pitch is regular. Thus, as with Japanese Patent Application Laid-Open (JP-A) Nos. 7-189144 and 10-18188 the filaments themselves are not easily transformed when the steel cords are bent and transformed. Again, this resistance to transformation has the effect of inhibiting or preventing decreasing compressive input applied to the steel cord. Namely, decreasing the compressive input to the steel cord cannot be obtained.

In addition to failing to expressly disclose this aspect of the claimed invention, Applicant submits that Hatakeyama fails to teach or suggest this feature of the claimed invention.

In view of the foregoing, Hatakeyama fails to disclose, teach or suggest each and every feature of the claimed invention. Therefore, Hatakeyama fails to anticipate the claimed

invention, set forth in claim 5, as required under the provisions of 35 U.S.C. § 102(b), or teach or suggest the present invention under the provisions of 35 U.S.C. § 103(a). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(b)/103(a) rejection of this claim. Further, as claims 6-8 depend on claim 5, Applicant submits that these claims are also allowable, at least by reason of their dependence.

***35 U.S.C. § 103(a) Rejection - Claims 9-11, 13 and 14:***

Claims 9-11, 13 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hatakeyama in view of U.S. Patent No. 5,871,600 to Oare et al. However, because claims 9-11, 13 and 14 depend on claim 5 (either directly or indirectly), and because Oare fails to the deficient teachings of Hatakeyama, Applicant submits that these claims are also allowable, at least by reason of their dependence.

**Conclusion:**

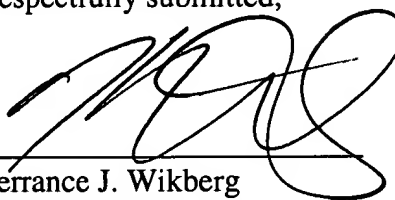
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.116  
Application Number 09/853,653

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Art Unit: 1733

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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